IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

Bail Appl..No. 3815 of 2007()

CRIME NO.127/2007 OF PULIKEEZHU POLICE STATION, THIRUVALLA

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: PETITIONER/ACCUSED

SANTHOSH KUMAR, S/O. SREEDHARAN,
CHAKKAPPARAMBIL VEEDU, PARUMALA,
KADAPRA VILLAGE, THIRUVALLA,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.TITUS MANI
SRI.S.SURAJ (PALATHANATHU)

RESPONDENTS: COMPLAINANT & STATE

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. CIRCLE INSPECTOR OF POLICE,
THIRUVALLA POLICE CIRCLE.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.3815 of 2007

Dated this the 25th day of June, 2007

ORDER

Application for regular bail. The petitioner faces allegations under Sections 324 and 307 I.P.C. The alleged incident took place on 27.05.2007. On account of prior animosity, the victim is alleged to have been hit with an iron road on the abdomen by the petitioner. The victim has suffered injuries. He was immediately taken to the hospital. He was shifted from one hospital to the other. F.I statement was recorded from the wife of the victim on 04.06.2007. Crime has later been registered. Investigation is in progress. The petitioner was arrested on 08.06.2007. He continues in custody even now.

2. The learned counsel for the petitioner submits that the allegations are false. No prompt F.I.R has been registered. The theory of the petitioner causing injuries to the victim on the abdomen is incorrect. It is contended that the victim is otherwise ailing and is a cancer patient. In any view of the matter, the petitioner may now be enlarged on bail. No purpose will be served by insistence on continued detention of the petitioner, submits the learned counsel for the petitioner.

3. The learned Public Prosecutor opposes the application. The victim is in a very serious condition. He is continuing to be

unconscious. Release of the petitioner at this early stage is not justified at all, submits the learned Public Prosecutor. In a serious crime like this, the police may be given some further time to complete the investigation before the question of release of the petitioner from custody is considered.

4. I find merit in the opposition by the learned Public Prosecutor . In a case like this, I am certainly inclined to hold that the Investigators are entitled to some further time to complete the investigation. Appropriate observations can, of course, be made.

5. This application is, in these circumstances, dismissed. I may hasten to observe that the petitioner shall be at liberty to move the Sessions Court or this Court for bail again again at a later stage of the proceedings, not, at any rate, prior to 05.07.2007. The police shall in the meantime make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

rtr/-